

1 SENATE BILL 288

2 **49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

3 INTRODUCED BY

4 Mary Jane M. Garcia

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10 AN ACT

11 RELATING TO HIGHER EDUCATION; PROVIDING FOR AWARDS TO PUBLIC
12 INSTITUTIONS OF HIGHER EDUCATION TO DEVELOP PROGRAMS FOR
13 INSTRUCTION AND TRAINING RELATED TO ALTERNATIVE ENERGY AND
14 ENERGY EFFICIENCY; CREATING A FUND; MAKING AN APPROPRIATION.

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16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 Section 1. ALTERNATIVE ENERGY AND ENERGY EFFICIENCY
18 PROGRAMS--FUND CREATED--AWARDS--CRITERIA.--

19 A. The "higher education new energy development
20 fund" is created in the state treasury. The fund shall consist
21 of appropriations, gifts, grants, donations and bequests made
22 to the fund and federal grants or distributions made to the
23 fund or to the higher education department for deposit into the
24 fund. All income earned on investment of the fund shall be
25 credited to the fund, and money in the fund shall not revert to

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1 any other fund at the end of a fiscal year. The fund shall be
2 administered by the higher education department, and money in
3 the fund is appropriated to the department to carry out the
4 purposes of this section. Disbursements from the fund shall be
5 by warrant drawn by the secretary of finance and administration
6 pursuant to vouchers signed by the secretary of higher
7 education or the secretary's authorized representative.

8 B. The higher education new energy development fund
9 shall be used to provide financial incentives to:

10 (1) four-year public post-secondary
11 educational institutions to develop research programs, courses
12 of instruction and degree programs in the fields of alternative
13 energy and energy efficiency; and

14 (2) two-year public post-secondary educational
15 institutions to provide alternative energy and energy
16 efficiency programs and courses of instruction for students
17 seeking licensure or certification as electricians, plumbers,
18 mechanics, welders and heating, ventilation and air
19 conditioning personnel or similar professions.

20 C. The higher education department shall, by rule,
21 establish criteria and procedures for making awards from the
22 fund based on evaluation of competitive proposals submitted by
23 public post-secondary educational institutions. The criteria
24 shall include:

25 (1) a requirement that the application

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1 demonstrate how the award will be used to establish permanent
2 educational programs in the fields of alternative energy and
3 energy efficiency;

4 (2) a requirement that the application
5 demonstrate how local resources will be utilized, including how
6 the institution will cooperate with local employers with a
7 potential need for interns or graduates;

8 (3) the commitment of matching money; and

9 (4) such other evaluation components as the
10 department deems useful.

11 D. No more than an amount equal to five percent of
12 the total awards made during a fiscal year shall be expended
13 from the fund in that fiscal year for administrative costs,
14 including project management, auditing and other oversight
15 functions.

16 E. The higher education department shall report
17 annually to the legislature and the governor on the status of
18 the fund and programs supported by the fund.

19 Section 2. APPROPRIATION.--One million dollars
20 (\$1,000,000) is appropriated from the general fund to the
21 higher education new energy development fund for expenditure in
22 fiscal year 2010 and subsequent fiscal years to carry out the
23 purposes of Section 1 of this act. Any unexpended or
24 unencumbered balance remaining at the end of a fiscal year
25 shall not revert to the general fund.

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